

REMARKS

Claims 1-8 were pending in the application. Claim 1 as presented above reflects the Examiner's Amendment shown on pages 2-3 of the Office Action. Applicants appreciate the Examiner's consideration in conducting a personal interview with Applicant's representatives on February 17, 2005, and the opportunity afforded to explain further the concept of the invention and the amended claim language presented in the previous amendment. In this regard, claim 1 is further amended herein to include, in part, an additional feature Applicants that was agreed upon during the prior Interview (i.e., "including an encryptor"). In addition, claim 9-22 are added herein. Thus, claims 1-22 are pending in this application.

The Office Action rejects claims 1-8 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,084,969 to Wright et al., (Wright) in view of U.S. Patent 6,073,237 to Ellison (Ellison). However, Wright and Ellison, alone or in combination, fail to disclose, teach or suggest all of the features recited in the claims. For example, independent claim 1 recites:

generating a session key based on a random number privately maintained only by the owner, including an encryptor, of the original document;

encrypting the original document with the session key to create an encrypted document;

generating a proxy key based on a public key corresponding to the selected recipient; and

transforming the encrypted document with the proxy key to create a transformed document, wherein no clear-text document is revealed during the transformation; and

independent claim 13 recites:

a session key generation system that generates a session key based on a random number privately maintained only by the owner, including an encryptor, of the original document;

an encryption system that encrypts the original document with the session key to create an encrypted document;

a proxy key generation system that generates a proxy key based on a public key corresponding to the selected recipient; and

a transformation system that transforms the encrypted document with the proxy key to create a transformed document, **wherein no clear-text document is revealed during the transformation;**

By contrast, Wright is directed to an encryption, decryption, and re-encryption method wherein a sending pager encrypts a message using a session key, and encrypts the session key so that it can only be recovered by a secret key of the pager proxy. A pager proxy, upon recovery of a session key, decrypts the message, generates a new session key, re-encrypts the message, and encrypts the new session key so that it can only be recovered by a secret key of the destination pager. (See Abstract). In particular, Wright teaches a process of decrypting and re-encrypting a document, which results in the revealing of the clear-text document. (See col. 12, lines 55-56 and col. 14, lines 65-67). Moreover, the decrypting and re-encrypting process requires either an older session key and a new session key, or a private decryption key of the proxy server and the encryption public key of the receiver (e.g., destination pager). However, Wright fails to disclose, teach or suggest the noted features recited in independent claims 1 and 13.

Ellison discloses a 'wallet' which is an electronic version of money held by a user is protected in part by a private key known only to the user. The private key is kept secret since the key is part of wallet data which is encrypted and stored in a computer. (See Col. 1, lines 20-26). With respect to whether Ellison teaches a session key maintained only by the owner, Applicants note that a session key is not a private key belonging to a user. Instead, a session key is a key generated when a document is to be encrypted, and it may not be known to any user before that time. (See col. 1, lines 20-26). However, Ellison fails to cure the deficiencies in Wright, and also fails to disclose, teach or suggest the noted features recited in independent claims 1 and 13.

Accordingly, the Office Action, at page 3, correctly admits that Wright does not fully disclose the element "only" by the owner. The Office Action then improperly relies on Ellison as disclosing that a private key is known only to a user for allegedly rendering the noted feature obvious in order to secure the transactions of the user as taught by Ellison. However, it is well known that private keys are kept private by their owners, but this does not

render obvious the noted features recited in independent claims 1 and 13.

Specifically, independent claims 1 and 13 are directed to encrypting an original document for distribution to a selected recipient chosen from a plurality of possible recipients, including generating a session key based on a random number privately maintained only by the owner, including an encryptor, of the original document, encrypting the original document with the session key to create an encrypted document, generating a proxy key based on a public key corresponding to the selected recipient, and transforming the encrypted document with the proxy key to create a transformed document, **wherein no clear-text document is revealed during the transformation**. The ability to complete a transformation without revealing the clear-text document is a distinct advantage over Wright and Ellison, taken alone or in combination. For example, by preventing the clear-text document from being revealed, the risk of a third-party accessing the encrypted document during the transformation is eliminated. By contrast, Wright and Ellison, alone or in combination, do not provide such an advantage. Moreover, Wright discloses that the encrypted document is decrypted and then re-encrypted, thereby allowing the clear-text document to be revealed in the process, and thus teaching away from the noted feature.

Accordingly, independent claims 1 and 13 are patentably distinguishable over Wright and Ellison, alone or in combination. The dependent claims are allowable on their own merits.

The present amendment is submitted in accordance with the provisions of 37 C.F.R. §1.116, which after Final Rejection permits entry of amendments placing the claims in better form for consideration on appeal. As the present amendment is believed to overcome outstanding rejections under 35 U.S.C. § 103, the present amendment places the application in better form for consideration on appeal. It is therefore respectfully requested that 37 C.F.R. §1.116 be liberally construed, and that the present amendment be entered.

In view of the foregoing, it is submitted that the present application is in condition for allowance and a notice to that effect is respectfully requested. If, however, the Examiner deems that any issue remains after considering this response, the Examiner is invited to contact the undersigned attorney to expedite the prosecution and engage in a joint effort to work out a mutually satisfactory solution.

Respectfully submitted,

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